IN RE: PETITION FOR ZONING VARIANCE W/s Reisterstown Road, 225' S of Caraway Road (12020 Reisterstown Road) 4th Election District

3rd Councilmanic District

\* DEPUTY ZONING COMMISSIONER \* OF BALTIMORE COUNTY

\* \* \* \* \* \* \* \* \* \*

Bent Real Estate Ltd. Part. Petitioners

\* Case No. 89-179-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a dual faced sign of 64 sq.ft. total in lieu of the maximum permitted 15 sq.ft., as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Gary L. Attman, General Partner, appeared, testified, and was represented by Stanley S. Fine, Esquire. Also appearing on behalf of the Petition were: Shelley Gilden, President of Attman Creative, and Norman Karshmar, Administrator of Bent Nursing Home and President of the Cherry Wood Manor Extended Care Center. There were no Protestants.

Testimony indicated that the subject property, known as 12020 Reisterstown Road, consists of 3.63 acres, plus or minus, and is the site of the existing Bent Nursing Home. The property is located off of Reisterstown Road near the intersection of Caraway Road and is zoned D.R. Pursuant to a special exception for a convalescent home granted in Case No. 4856-X and as modified in a special hearing Case No. 85-123-SPH, Petitioners are in the process of completing the construction of the Cherry Wood Manor convalescent and nursing home as set forth in Petitioner's Exhibit 1. Testimony indicated that the existing building presently used for the Bent Nursing Home will be razed after the opening of Cherry Wood Manor, which is scheduled for December 1988.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 XXXXXXX 887-3355 J. Robert Haines

November 21, 1988

Stanley S. Fine, Esquire Kaplan, Heyman, Greenberg, Engelman & Belgrad 20 S. Charles Street, 10th Floor Baltimore, Maryland 21201

RE: PETITION FOR ZONING VARIANCE W/S Reisterstown Road, 225' S of Caraway Road (12020 Reisterstown Road) 4th Election District - 3rd Councilmanic District Bent Real Estate Limited Partnership - Petitioners Case No. 89-179-A

Dear Mr. Fine:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

A Mostamia ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

cc: People's Counsel

AMN:bis

Dennis F. Rasmusser

Testimony indicated that the proposed sign is an attractive hardwood sign placed on a brick structure and framed in a brick arc. While the variance at first blush seems large, the majority of the square footage requested is due to the Zoning Office's policy of including the square footage of the structure holding the sign. The area of the graphics and sign is limited to 10.86 sq.ft., plus or minus, for each side. The remaining square footage is the calculation necessary to include the brick. Testimony indicated this type of sign was chosen in an attempt to keep with the residential character of the zone. Testimony presented indicated the necessity for the size of the sign is to provide adequate notice to visitors of the subject property, which is located 220 feet off of Reisterstown Road, a heavily-travelled, four-lane highway permitting a speed limit of 40 mph. Petitioners contend to reduce the size of the sign would create practical difficulty upon Petitioners to provide adequate identification and location of the site to patrons and visitors. Further, a reduction in the size of the sign would interfere with its visibility and potentially create a traffic hazard on Reisterstown Road.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONE	R OF PALTHORN	ATHITATIVE	
The undersigned, legal owner described in the description and pl	(s) of the property situate i lat attached hereto and made	in Baltimore County and whi	79-A
TOTAL DOCUMENT	TIDIOE to alla	4	for a
sign with a total area	of F4 square feet		<b></b>
the permitted 15 squar	e feet.		MAP NV
*****************			

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for Other 1-26-19 following reasons: (indicate hardship or practical difficulty) 1. That without the requested variance, Petitioner will sustain practical difficulty and unreasonable hardship relating to the subject property.

<ol> <li>The rand gener spirit an</li> </ol>	requested variance will not harm the public health, safe ral welfare of the area, and it is in accordance with the nd intent of the Zoning Regulations.	ty e
Contract of the second	Oning Deviler	
BALTIMORE COUNTY	MADVI AND pning Regulations	

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	1. JSUNG etc upon silve etc.
3 0 9 40	re County,
ACCOUNT R-01-615  AMOUNT \$ 100. 45	do solemnly declare and affirm, penalties of perjury, that I/we gal owner(s) of the property te subject of this Petition.
RECEIVED Stanley & F.	
for Cherry Wood Monor Ite	m#07 State Limited Partnership
FOR Commercial Variance Filing Foo.	Name)
	ry L. Attman, General Parti
B   B   E   P	
TE-CASHER PINK-AGENCY VELOW-CUSTOMER	Name)
Attorney for Petitioner:	
TOTAL TO STATE OF THE STATE OF	
Greenberg, Engelman & Belgrad, P.A. 77	779 New York Lane (301) 766-6484
J stanley & Mine	en Burnio W.
Signature	en Burnie, Maryland 21061 City and State

Attorney for Petitioner: Stanley S. Fine, Kaplan, Heyman, Greenberg, Frank	
Greenberg, Engelman, Dellan, Heyman,	
Greenberg, Engelman & Belgrad, P. A. Type or Print Name)  Simulation	Pnone No.
Signature	Glen Burnie, Maryland 21061
20 S. Charles St., 10th Floor	City and State
Address	Name, address and phone number of legal owner, con-
Baltimore, Maryland 21201	tract purchaser or representative to be contacted
City and State	Shellye Gilden Name
Attorney's Telephone No.: (301) 539-6967	same as above

of September, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore day of Piovember 1988, at 9:30 o'clock

Zoning Commissioner of Baltimore County.

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this May of November, 1988 that the Petition for Zoning Variance to permit a dual faced sign of 64 sq.ft. total for both sides, in accordance with Petitioner's Exhibit 1, be and is hereby GRANT-ED, subject, however, to the following restrictions, which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for its sign permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original
- 2) Compliance with the landscaping plan as set forth in Petitioner's Exhibit 5.
- 3) The granting of this variance is conditioned upon Petitioners constructing a sign of the size, dimensions, and materials as set forth in Petitioners' Exhibits 1 and 5. This restriction is in no way intended to prevent this owner and/or future owners from changing the name or lettering on the sign at any

#97

Development Engineering Consultants, Inc.

DESCRIPTION TO ACCOMPANY ZONING VARIANCE REQUEST

OUTLINE DESCRIPTION OF AREA FOR EXTERIOR SIGN LOCATION FOR CHERRYWOOD MANOR NURSING HOME LOCATED IN THE FOURTH ELECTION DISTRICT OF BALTIMORE COUNTY.

Beginning for the same at a point on the westernmost rightof-way of Reisterstown Road; said point being distant 225.00 feet south of the intersection of Caraway Road and Reisterstown Road intersection, thence running for the following four courses and distances viz: 1) Along the westernmost right-of-way widening as recorded on R/W plat No. 69-106-12, (1) South 44 degrees 02 minutes 40 seconds East, 10.00 feet; (2) South 45 degrees 57 minutes 20 seconds West, 18.00 feet; (3) North 44 degrees 02 minutes 40 seconds West, 10.00 feet; (4) North 45 degrees 57 minutes 20 seconds East, 18.00 feet to the point of beginning.

Containing 180.00 square feet or 0.0041 acres of land, more or less.

09-08-88 86-135

6603 York Road Baltimore, Maryland 21212 (301) 377-2600

time. The graphics set forth in the exhibit in the 10.86 sq.ft. area may be changed to provide for a different name; however, at all times, the lettering shall be limited to providing the name of the nursing

4) Petitioners shall comply with the requirements of the Bureau of Traffic Engineering as set forth in the comments submitted by Michael S. Flanigan dated October 28, 1988. Therefore, if as a result of an inspection of the site and proposed location of the sign, it is determined the sign must be moved back any additional distance from the street, Petitioners shall file a site plan reflecting said change.

> Charles M. Nesteronica ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

AMN:bjs

Y NEWSPAPERS OF MARYLAND, INC.

stminster, Md., ...Cct., 27, 1955... Y that the annexed Reg.# N20270 F.O. 05220 (1) successive weeks/days previous of October ....., 19.88....., in the

nty Times, a daily newspaper published in Westminster, Carroll County, Maryland. 'n News, a weekly newspaper published in Baltimore County, Maryland. Times, a weekly newspaper published in Baltimore County, Maryland. ITY NEWSPAPERS OF MARYLAND, INC. Per Lina Keefe

89-179-A CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

ership
ership
S Caraway Road.
S Earnway Road
tin front of
n: October 28, 1958

Towson, Maryland

NOTICE OF HEARING The Zoring Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as fol-494-3391 TO CONFI 3M UAT 494-3391 TO CONFT the Order in the event that this Petition is granted, a building permit may be assued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the isCERTIFICATE OF PUBLICATION

TOWSON, MD., October 28, 19.88 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 27, 1988

THE JEFFERSONIAN,

5. Zehe Orlon Publisher

PO 05230 suance of said permit during this suance or said periods of the control of the contro

sented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

price \$41.25

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

TIF PHASE II OF SNOW EMERGENCY PLAN IN EFFECT ON THIS DATE, CASE MAY BE RESCHEDULED. CALL 494-3391 TO CONFIRM DATE.

J. Robert Haines Zoning Commissioner

Date: 11/2/88

id post set(s), there or each set not

Dennis F. Rasmussen
County Executive

Bent Real Estate Limited Partnership 7779 New York Lane Glen Burnie, Maryland 21061

ATTN: SHELLYE GILDEN

Re: Petition for Zoning Variance
CASE NUMBER: 89-179-A
W/S Reisterstown Road. 2251:

W/S Reisterstown Road, 225' S Caraway Road
(12020 Reisterstown Road)
4th Election District - 3rd Councilmanic
Petitioner(s): Bent Real Estate Limited Partnership
HEARING SCHEDULED: TUESDAY, NOVEMBER 15, 1988 at 9:30 a.m.

Please be advised that

| 183.43 | is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE · REVENUE DIVISION

WEISCELLANEOUS CASH RECEIPT

ACCOUNT R-01-615-000

AMOUNT \$ 83.44

RECEIVED Brist Raci Estata

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B B D? ] # # # # # 834618 ESSEF

OSTINUTION OR SIGNATURE OF CASHIER
WHITE-CASHER PINK-AGENCY VELLOW-CUSTOMER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING



Dennis F. Rasmusser

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-179-A
W/S Reisterstown Road, 225' S Caraway Road
(12020 Reisterstown Road)
4th Election District - 3rd Councilmanic
Petitioner(s): Bent Real Estate Limited Partnership
HEARING SCHEDULED: TUESDAY, NOVEMBER 15, 1988 at 9:30 a.m.\*

Variance to allow a dual faced sign with a total area of 64 sq. ft. in lieu of the permitted 15 sq. ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

> cc: Stanley S. Fine, Esq. Shellye Gilden File

\*NOTE:

IF PHASE II OF THE SNOW
EMERGENCY PLAN IS IN EFFECT
IN BALTIMORE COUNTY BY 8:30
a.m. ON THE DATE OF THE
ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND
TENTATIVELY RESCHEDULED
FOR THURSDAY, DECEMBER 22,
1988. PLEASE TELEPHONE
DOCKET CLERK AT 494-3391
TO CONFIRM DATE.

PETITIONER(S) EXHIBIT (3)



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PETITIONER(S) EXHIBIT ( 3)



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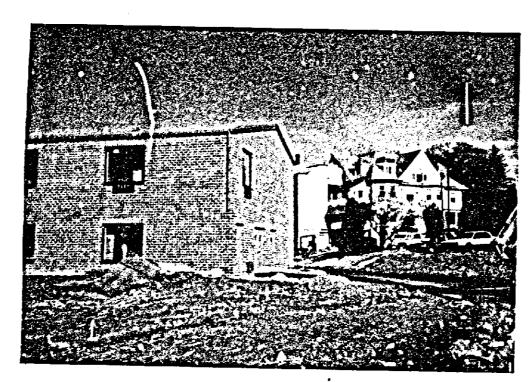
PETITIONER(S) EXHIBIT (3)



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PETITIONER(S) EXHIBIT (3)



PETITIONER(S) EXHIBIT (3

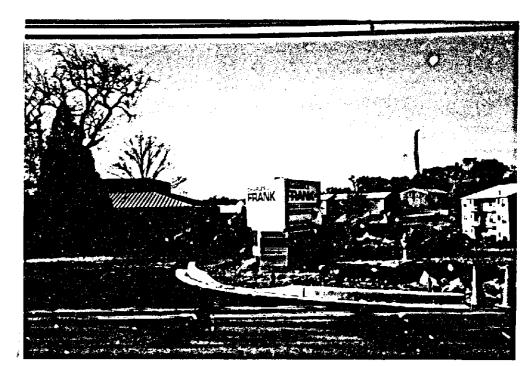


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PETITIONER(S) EXHIBIT ( 3)



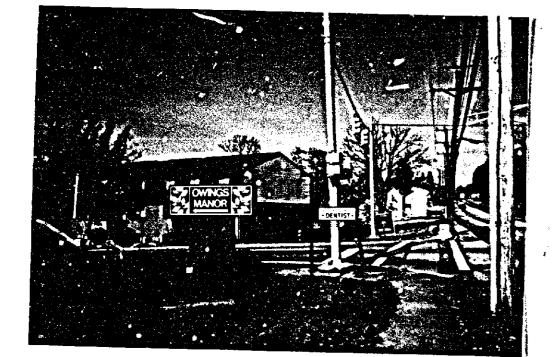
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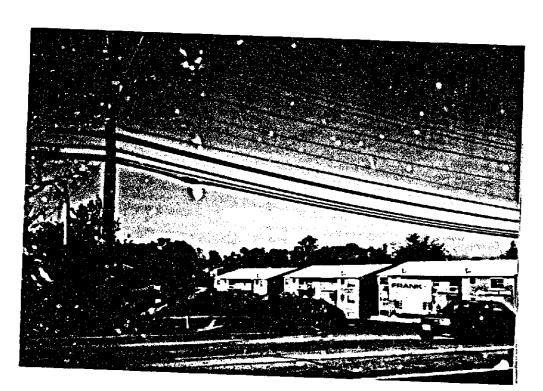


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PETITIONER(S) EXHIBIT (2)





PETITIONER(S) EXHIBIT (2)





PETITIONER(S) EXHIBIT (2)



89-179-4

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 1988.

Petitioner Bent Peal Patate 1td Partnampeceived by: Chairman, Zoning Plans Petitioner's Advisory Committee Attorney Stanley S. Fine

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 491-3554

> Mr. J. Robert Haines Zoning Commissioner County Office Building

Towson, Maryland 21204

October 28, 1988



Item No. 97 Property Owner: Location:

-ZAC- Meeting October 11, 1988 Bent Real Estate Limited Partnership SWS Reisterstown Rd., 225' SE of Caraway Road. D.R. - 16 Variance to allow a dual faced sign

Existing Zoning: Proposed Zoning:

with a total area of 64 sq. ft. in lieu of the permitted 15 sq. ft.

Area: District:

180 square feet 4th Election District

Dear Mr. Haines:

The proposed sign should not be placed in the proposed State Highway Administration's widening of the right-of-way.

The sign should be placed, far enough behind the curb to provide 500' of sight distance on Reisterstown Road.

> Very truly yours, Michael S. Flanigan

Engineering Associate

MSF/lvw

ZONNIG OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 10, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Department of Traffic Engineering State Roads Commission

Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education Zoning Administration Industrial

Stanley S. Fine
Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A.
20 South Charles Street 10th Floor Baltimore, MD 21201

RE: Item No. 97; Case No. 89-179-A

Petitioner: Bent Real Estate Limited

Partnership Petition for Zoning Variance

The Zoning plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of plans that may have a bearing on this case. Commissioner planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted form the members of the Committee at this time that offer or request information on Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Janus 4. JAMES E. DYER Zoning Plans Advisory Committee

JED:scj Enclosures Maryland Department of Transportation
State Highway Administration

Richard H. Trainor Hal Kassoff Administrator

October 17, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building Towson, Maryland 21204

Attn: Mr. James Dyer

Re: Baltimore County Cherrywood Manor Nursing Home S/W/S Reisterstown Rd. MD 1.7, 225' S.E. of Caraway Road (Item #97) Zoning Meeting of

10-11-88

Dear Mr. Haines:

After reviewing the submittal for a variance to allow a dual faced sign with a total area of 64 square feet in lieu of the permitted 15 square feet, we offer the following comment.

This plan has been forwarded to the SHA - Beautification Section, c/o Morris Stein (333-1642) for all comments relative to

If you have any questions, please call Larry Brocato of this office at 333-1350. Very truly yours,

creston J. Mills, Jr., Chief
Bureau of Engineering
Access Permits

LB:maw

cc: Bent Real Estate Ltd. Partnership
Mr. J. Ogle
Mr. M. Stein (w-attachment)



ZONING OFFICE

My telephone number is (301) 333-1350 Teletypewriter for impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toli Free
707 North Calvert St., Baltimore, Maryland 21203-0717 Baltimore County
Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

Stanley 5. Fine, Esq.

September 27, 1988



Dennis F. Rasmussen County Executive

Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A. Tenth Floor - Sun Life Building 20 South Charles Street Baltimore, Maryland 21201

> Re: Item 97 - Variance Petition Bent Real Estate Limited Partnership Reisterstown Road

Dear Mr. Fine:

Please be advised that Commissioner Haines is in receipt of your letter of today's date, wherein you request an hearing early of the above matter.

He has sent your request to me, seeking information relative to available dates. I have advised him that the file is not complete. As such, it cannot be scheduled for hearing. Notation on the file, indicates that Mr. Sullivan request revision on 9/8/88.

Upon receipt of those revisions, the early hearing request can be taken under consideration.

Please contact us, if you have any questions.

Very truly yours, Oocket Clerk (494-3391)

GGS/

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines TO\_\_ Zoning Commissioner

Date November 14, 1988 Pat Keller, Deputy Director FROM Office of Planning and Zoning S

SUBJECT Zoning Petition Nos. 89-179-A (Bent Real Estate); 89-181-A (Rudie/Davison); 89-182-A (Tallagsen); 89-184-X (Caras); 89-193-A (Waldorf)

The Office of Planning and Zoning has no comment on the above listed

PK/sf

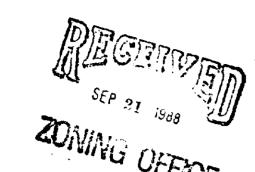
CPS-C08

Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A.

TENTH FLOOR-SUN LIFE BUILDING 20 SOUTH CHARLES STREET Baltimore, Maryland 2120:

SOLOMON KAPLAN

(301) 539-5967 TELECOPIER (301) 752-0685



September 21, 1988

HAND DELIVERED

CHARLES B. HEYMAN

HERBERT J. BELGRAD

EDWARD F. SHEA, JR. THEODORE & MILLER

STANLEY S FINE

SEARLE E. MITRICK

JOHN PHILIP MILLER

LOWELL G. HERMAN HARRIET E COOPERHAN

PANDALL M. LUTZ BARRY L. STEELMAN WILLIAM D. SHAUGHNESSY, JI

MICHAEL D BERMAN THOMAS D. WOLFE

BARRY WEISKOPF CHRIS A. OWENS

MANNES F. GREENBERG

J. Robert Haines, Esquire Zoning Commissioner Baltimore County Office Building 111 W. Chesapeake Avenue, Room 109 Towson, Maryland 21204

> RE: Item 97 - Variance Petition Bent Real Estate Limited Partnership Reisterstown Road

Dear Mr. Haines:

Please be advised that I represent Bent Real Estate Limited Partnership, the Petitioner in the above matter. The purpose of this letter is to request an expedited hearing in this matter.

In your consideration of this request, it is necessary to review the proposed project at the subject property. The property is currently improved by a nursing home built in 1904 and known as the Bent Nursing Home, which will soon be replaced by a new nursing home to be known as Cherrywood Manor Extended Care Center. Construction of Cherrywood Manor was to be completed between December 15, 1988 and January 15, 1989. However, the current completion date for Cherrywood is now October 15, 1988. Once Cherrywood Manor is completed, the State of Maryland will review the facility for approval, and the patients at the Bent Nursing Home will then be transferred to Cherrywood Manor. Thereafter, the Bent Nursing Home building will be demolished and its sign will be removed. However, there will be a period of 4 to 6 weeks when both Cherrywood Manor

Kaplan, Heynan, Greenberg, Engelman & Belgrad, P.A.

J. Robert Haines, Esquire September 21, 1988 Page Two

and the Bent Nursing Home will be in operation. Both nursing homes now have separate access off of Reisterstown Road, with the Bent access point having a sign and the Cherrywood access point having no sign.

During this transition when both nursing homes will be open, it will be necessary to continue to have access into both nursing homes. A sign, as proposed, will greatly assist the public from a traffic point of view and ease the operation of both nursing homes. The subject property is immediately next to a McDonald's quick service restaurant, which has a great deal of traffic. The subject property is also located in an area on Reisterstown Road which has significant traffic. By not having the proper signage for the different openings on Reisterstown Road for the two nursing homes coupled with the high volume of traffic of McDonald's and Reisterstown Road, a serious traffic safety problem as well as confusion to the public could develop.

The Bent Nursing Home currently has 50 patients who would be transferred to Cherrywood, which has a capacity for 161 beds. To assist the transition from two nursing homes to one and the requisite access to the property on a very busy street, it is necessary that signage be available. The variance petition was recently filed to obtain permission to erect a dual-face sign for the subject property. The sign would identify Cherrywood Manor and ultimately be the only sign on the property.

It is therefore requested that a hearing before the Zoning Commissioner be set as soon as possible so that a determination can be made by your Office on the variance request. Your favorable consideration of this request would lessen the Petitioner's difficulty in the establishment of a second nursing home on the property, ease the transfer of patients to the second nursing home from the first nursing home, and minimize the potential traffic safety hazards and confusion that could occur. The granting of an expedited hearing will enable the Petitioner to have the variance considered which could permit the necessary signage for the transition period and general operation of the Cherrywood Manor nursing home.

If there is any further information that you need, please do not hesitate to contact me.

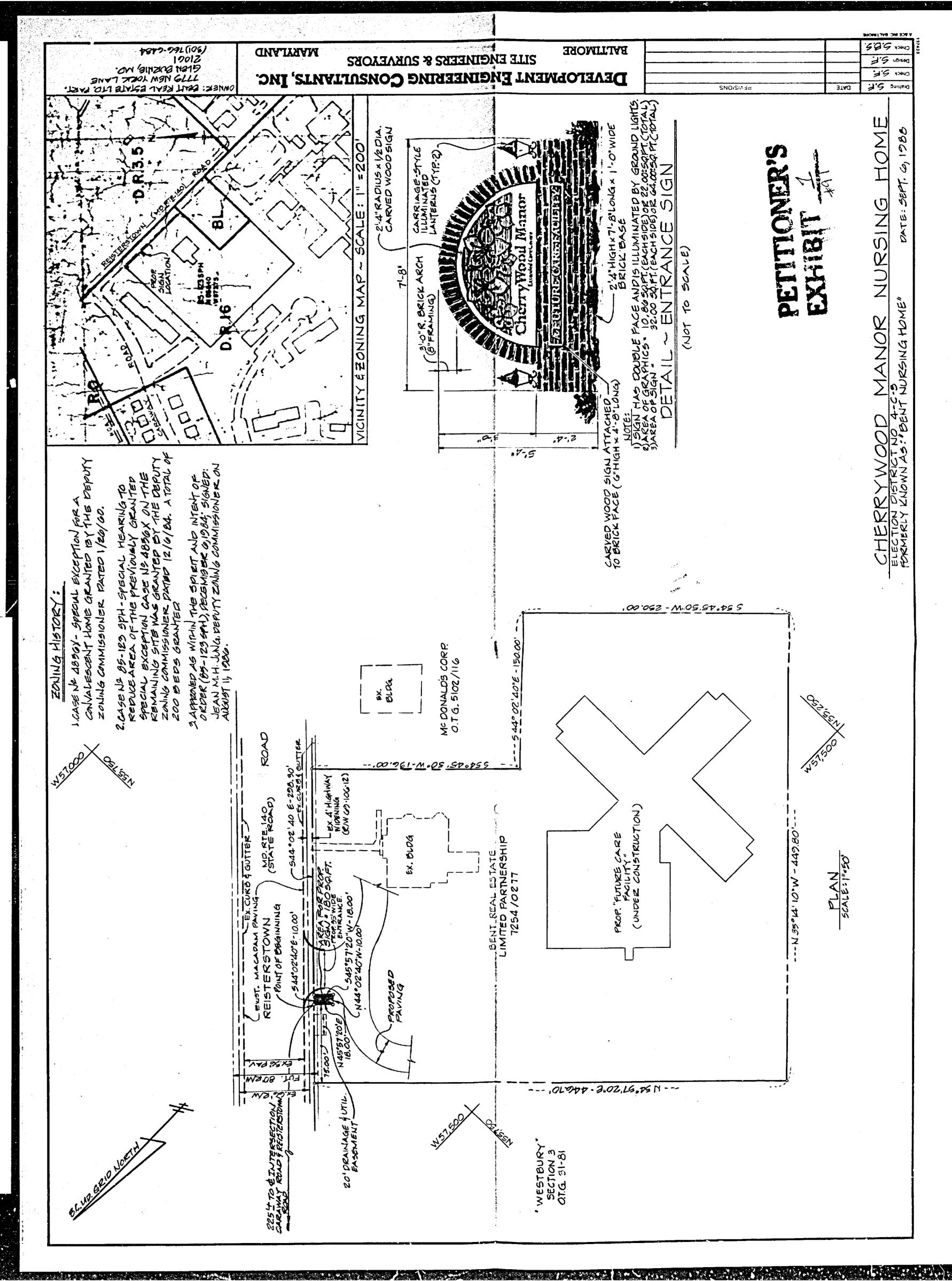
Kaplan, Heyman, Greenberg, Engelman & Belgrad, P.A.

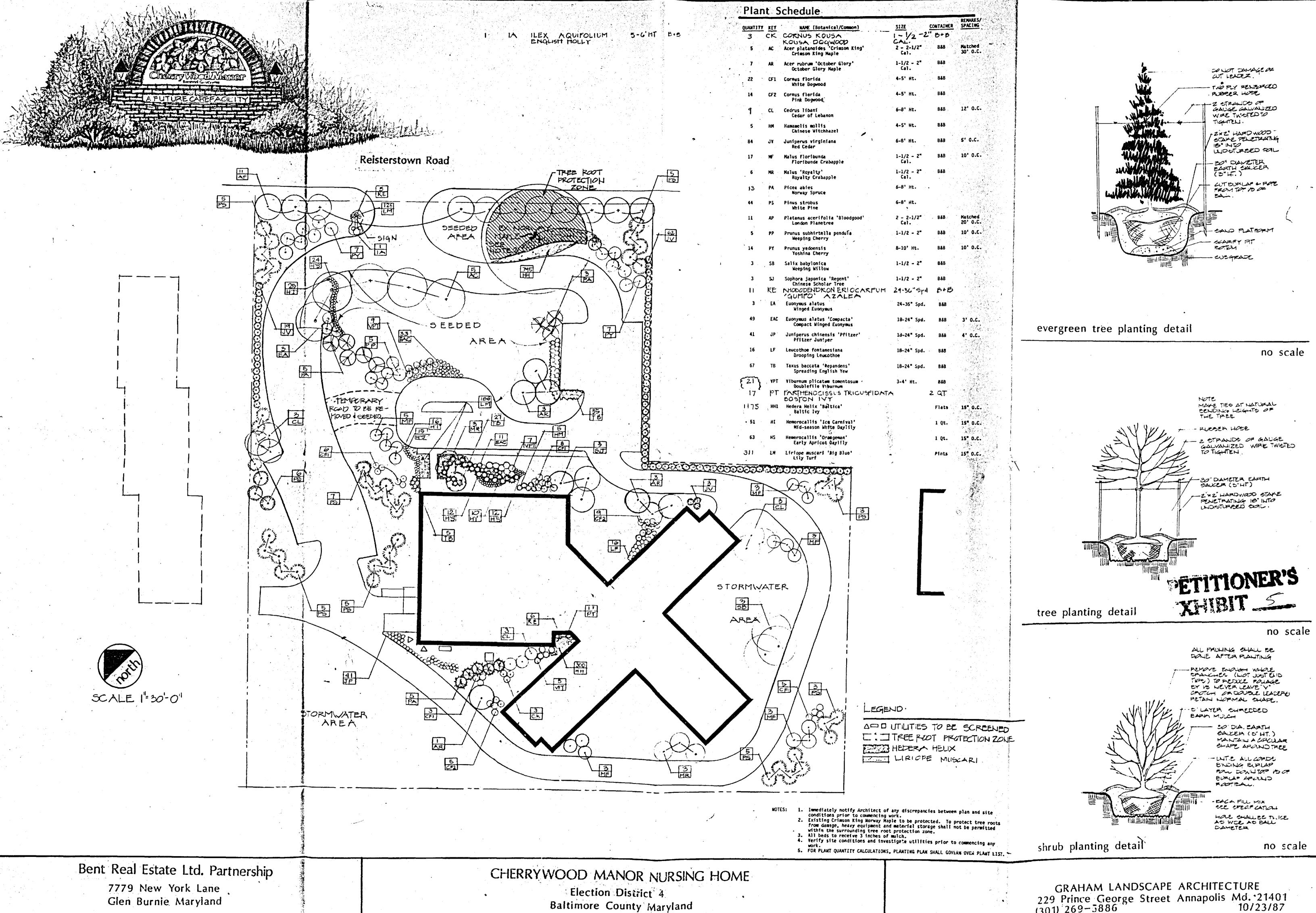
J. Robert Haines, Esquire September 21, 1988 Page Three

Thank you for your consideration in this matter.

Sincerely,

cc: Ms. Shellye Gilden, Bent Real Estate Limited Partnership





GRAHAM LANDSCAPE ARCHITECTURE 229 Prince George Street Annapolis Md. 21401 (301) 269-5886 10/23/87

no scale

no scale

no scale

